

United States Marshals Service

PROCESS RECEIPT AND RETURN

JD15 ✓

| | | | |
|---|--|--|--|
| PLAINTIFF UNITED STATES OF AMERICA | | COURT CASE NUMBER 08cv0675-JAH(LSP) | |
| DEFENDANT ONE RESIDENTIAL PROPERTY LOCATED AT 818 ORA AVO DRIVE, VISTA, CALIFORNIA | | TYPE OF PROCESS PUBLICATION | |
| SERVE AT | | NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN DRUG ENFORCEMENT ADMINISTRATION SOUTHERN DISTRICT OF CALIFORNIA | |
| | | ADDRESS (Street or RFD, Apartment No., City, State, and ZIP Code) 4560 VIEWRIDGE AVENUE, SAN DIEGO, CALIFORNIA 92123-1637 | |
| SEND NOTICE OF SERVICE TO REQUESTER AT NAME AND ADDRESS BELOW: | | Number of process to be served with this Form - 285 | |
| LEAH R. BUSSELL, Ass't United States Attorney Office of the United States Attorney 880 Front Street, Room 6293 San Diego, CA 92101-8893 | | Number of parties to be served in this case | |
| | | Check for service on U.S.A. | |
| SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Address, All Telephone Numbers, and Estimated Times Available For Service) | | | |

DEA Case No. RV-07-0021; CATS ID 08-DEA-498798

Attached are copies of the Complaint for Forfeiture, Ad order, and Notice of Complaint. Please publish the Notice in a newspaper of general circulation for three (3) consecutive weeks and advise this office of the dates notice is published by return receipt. Please also **post notice of the complaint on the defendant property.**

Signature of Attorney or other Originator requesting service on behalf of:

Leah R. Busnell / Mia

LEAH R. BUSSELL [AUSA]

☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER

(619) 557-7366

DATE

6/10/08

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

| | | | | | |
|---|-------------------------------|-------------------------------------|------------------------------------|---|------------------------|
| I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted) | Total Process No. <u>1</u> | District of Origin No. <u>98</u> | District to Serve No. <u>98</u> | Signature of Authorized USMS Deputy or Clerk <u>C. Bauer</u> | Date <u>6/18/08</u> |
|---|-------------------------------|-------------------------------------|------------------------------------|---|------------------------|

I hereby certify and return that I ☐ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc. at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below).

Name and title of individual served (If not shown above).

MICHAEL TOURNEY RECEPTION☐ A person of suitable age and discretion then residing in the defendant's usual place of abode.

Address (complete only if different than shown above)

Date of Service

07-07-2006

Time

3:06

am

pm

Signature of U.S. Marshal or Deputy

Jose Olivarez

Service Fee

\$45

Total Mileage Charges
(including endeavors)

\$11.62

Forwarding Fee

Total Charges

\$56.62

Advance Deposits

Amount Owed to US Marshal or

Amount or Refund

REMARKS:

Published in San Diego Commerce 7/15, 7/22 & 7/29/08; cost \$152.73.

PRIOR EDITIONS MAY
BE USED

SEND ORIGINAL + 2 COPIES to USMS.

FORM USM 285 (Rev. 12/15/80)

1. CLERK OF COURT 2. USMS Record 3. Notice of Service 4. Billing Statement 5. Acknowledgment of Receipt

RECEIVED
U.S. MARSHAL
SOUTHERN DISTRICT OF
CALIFORNIA

2008 JUN 18 A 8:59

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

| | | |
|-------------------------------|---|----------------------------|
| UNITED STATES OF AMERICA, |) | Case No. 08cv0675-JAH(LSP) |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | NOTICE OF COMPLAINT FOR |
| |) | FORFEITURE AGAINST |
| |) | REAL PROPERTY |
| ONE RESIDENTIAL PROPERTY |) | |
| LOCATED AT 818 ORA AVO DRIVE, |) | |
| VISTA, CALIFORNIA, AND ALL |) | |
| IMPROVEMENTS AND |) | |
| APPURTENANCES AFFIXED |) | |
| THERE TO, |) | |
| |) | |
| Defendant. |) | |

Pursuant to Supplemental Rule G(5), on 27 JUN 2008, I posted a Notice of Complaint on and for the following described property:

ONE RESIDENTIAL PROPERTY LOCATED AT 818 ORA AVO DRIVE, VISTA, CALIFORNIA, AND ALL IMPROVEMENTS AND APPURTENANCES AFFIXED THERETO,

for the causes set forth in the complaint, to wit: violation of Title 28, United States Code, Sections 1345 and 1355, and Title 21, United States Code, Section 881(a)(7), now pending in the United States District Court for the Southern District of California.

All persons asserting an interest in or claim against the defendant real property and who have received direct notice of the forfeiture action must file a verified claim with the Clerk of this Court pursuant to Rule G(5) of the Supplemental Rules for Admiralty or Maritime and Asset

1 Forfeiture Claims, thirty-five (35) days after the notice is sent; or if notice was published but direct
 2 notice was not sent to the claimant or the claimant's attorney, a claim must be filed no later than
 3 thirty (30) days after final publication of newspaper notice or legal notice or no later than sixty
 4 (60) days after the first day of publication on an official internet government forfeiture site; or
 5 within the time that the Court allows, provided any request for an extension of time from the Court
 6 is made prior to the expiration of time which the person must file such verified claim. In addition,
 7 any person having filed such a claim shall also serve and file an answer to the complaint or a
 8 motion under Rule 12 of the Federal Rules of Civil Procedure within twenty (20) days after filing
 9 the claim, and any person having timely filed such claim.

10 Supplemental Rule G(5) provides in pertinent part: "The claim must: (A) identify the
 11 specific property claimed; (B) identify the claimant and state the claimant's interest in the property;
 12 (C) be signed by the claimant under penalty of perjury; and (D) be served on the government
 13 attorney designated under Rule G(4)(a)(ii)(C) or (b)(ii)(D).

14 Claims and Answers are to be filed with the Clerk, United States District Court for the
 15 District of Southern California, with a copy thereof sent to Assistant United States Attorney
 16 Stewart M. Young at 880 Front Street, Room 6293, San Diego CA 92101-8893. If you fail to do
 17 so, judgment by default will be taken against you for the relief demanded in the complaint.

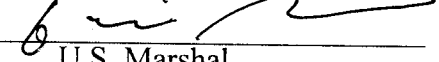
18 Additional procedures and regulations regarding this forfeiture action are found at 19
 19 U.S.C. §1602-1619, 28 C.F.R. § 9, and 18 U.S.C. § 985.

20 In accordance with 18 U.S.C. § 985, this Notice shall be posted on the defendant property
 21 and served on the property owner, along with a copy of the Complaint for Forfeiture.

22 DATED: 6/27/08

23 U.S. MARSHALS SERVICE

24
 25 (SEAL)

26 By 
 27 U.S. Marshal
 28 ERIC SMITH